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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,820	10/23/2003	John M. Sigears	3331	6300

23618 7590 04/21/2005

CHASE LAW FIRM L.C
4400 COLLEGE BOULEVARD, SUITE 130
OVERLAND PARK, KS 66211

EXAMINER

OKEZIE, ESTHER O

ART UNIT	PAPER NUMBER
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3654

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/691,820

Applicant(s)

SIGEARS, JOHN M.

Examiner

Esther O. Okezie

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-6 and 16-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,6 and 16-18 is/are rejected.
- 7) ☒ Claim(s) 4,5,19 and 20 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Response to Amendment

The amendment filed on 12/10/04 and the remarks presented therewith have been carefully considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1,2,6,16-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Tiedemann. Tiedemann discloses a weldrod holder that is capable of holding the shaft of an arrow.

2. Re claim 1, Tiedemann discloses a weldrod holder comprising:

a plate (1 or 2);

a shelf (5) extending from said plate, said shelf presenting a longitudinally extending flat surface adapted to bear along a longitudinal portion of a shaft positioned thereon (see figure 3);

a block (wedge 12) slidably mounted to said plate via rod (20 and pins 22: see figure 2) in a path having a first and second position (column 1, lines 37-45), said block presenting a longitudinally extending flat surface parallel to said shelf, said block

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surface adapted to bear along a longitudinal portion of the arrow shaft at said second position opposite said parallel shelf surface, said block surface at said first position (fig 3) displaced from said shelf surface and the shaft thereon and at said second position is at a lateral and longitudinal displacement relative to said shelf surface to present a locked bearing relationship against the shaft on said shelf (fig 3), the shaft clamped at a plurality of points there along by said block flat surface and said parallel shelf flat surface at a second position;

a handle (14) extending from said plate(fig 2), said handle adapted for grasping by a user, and positioned whereupon pulling by a user on said handle directs a force along a length of the clamped arrow shaft for extraction from the embedded surface;

said block movable to said first position to release the clamped arrow.

3. Re claim 2, said handle (14) includes an imaginary axis generally positioned relative to a general, longitudinal axis of the clamped arrow shaft, wherein e said pulling said handle is generally directed along the said axis of the clamped arrow shaft (see fig. 2).

4. Re claim 6, said block path provides a friction fit engagement of said block flat surface with the arrow shaft at said second position to provide said locked bearing relationship and preclude movement of said block towards said first position (see figs 1 and 3).

5. Re claim 16, a plate (1 or 2),

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a first clamping surface mounted to said plate (5), said first clamping surface presenting a longitudinally extending flat surface adapted to bear along a length of the arrow shaft;

a second flat longitudinally extending clamping surface (12) mounted to said plate and parallel to said first clamping surface, said second clamping surface presenting a longitudinally extending flat surface and adapted to bear along a length of the arrow shaft opposite said first clamping surface in a parallel relationship thereto, at least one of said surfaces having a first position displaced from the first other clamping surface for placement of an arrow shaft there between and a second position urging said at least one clamping surface towards the other clamping surface and towards an end of the arrow shaft, the arrow shaft at said second position clamped by said flat surfaces at a plurality of points between said first clamping surface and said second clamping surface at said second position, at least said one of said clamping surfaces at said second position in a friction fit with the arrow shaft, whereby to lock at least said one of said clamping surfaces at said second position against the arrow shelf, a pulling force on said plate transmitted to the clamped arrow for extraction from a penetrated surface (figs 1-3).

6. Re claim 17, a handle (14) extending from said plate, wherein a pulling force on said handle directs a similar pulling force on said plate and along the clamped arrow shaft.

7. Re claim 18, said handle extends from said plate at a position whereby a straight line pulling force on said handle is directed in a generally similar straight line motion along the clamped arrow shaft (figs 1 and 2).

Allowable Subject Matter

Claims 4,5,9, and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments with respect to claims 1,2,4-6,16-20 have been considered but are moot in view of the new ground(s) of rejection.

Tiedemann discloses a block or wedge 12 slidably mounted to a plate 1 by rod 20 via pins 22 (see figure 2) in a path having a first and second clamping position (column 1, lines 37-45). A pulling force in the direction of a clamped shaft along lever 14 would disengage the shaft. The block 12 is also longitudinally flat bearing along the shaft surface (see figure 3). This flat surface precludes movement of the shaft when the block 12 is in a clamped position. Therefore, Tiedemann anticipates the claimed invention and every element as set forth in the claims.

Conclusion

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US-3,628,221, Pasbrig, in particular figures 1,2,4,5,44,45, 48, 49, and 52-57 and US-5098236 Fischer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Esther O. Okezie whose telephone number is (571) 272-8108. The examiner can normally be reached on Mon-Thurs 8-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Katherine A Matecki can be reached on (571) 272-6951. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EOO



KATHY MATECKI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3654